

San Sevaine Redevelopment Project Area



Amended and Restated Redevelopment Plan

(Amendment No. 1 to the San Sevaine
Redevelopment Plan)

October 2004

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**AMENDED AND RESTATED REDEVELOPMENT PLAN
FOR THE
SAN SEVAINE REDEVELOPMENT PROJECT
(Amendment No. 1 to the San Sevaire Redevelopment Plan)**

SECTION I. (100) INTRODUCTION

This is the Amended and Restated Redevelopment Plan ("Amended Plan") for the San Sevaire Redevelopment Project located in unincorporated County of San Bernardino, State of California. It consists of the text (Sections 100 through 1100), the Boundary Maps of the Project Area ("Project Area") (Exhibit A-1 showing the Original Area and A-2 for the Added Area), the legal description of the Project Area boundaries (Exhibit B-1 for the Original Area and B-2 for the Added Area), and a listing of the initially proposed projects, public facilities, and infrastructure improvement projects (Exhibit C).

The Amended Plan incorporates the provisions of the redevelopment plan previously adopted in 1995 ("Original Area"). The Amended Plan also includes territory which will be added to the redevelopment area by adoption of this Amended Plan, herein referred to as the "Added Area."

The County of San Bernardino ("County") Board of Supervisors ("Board") created its first redevelopment project area on December 19, 1995, with the adoption of County Ordinance No. 3631 that approved and adopted the San Sevaire Redevelopment Plan ("Redevelopment Plan") as prepared by the San Bernardino County Redevelopment Agency ("CoRDA"). The current 2,835 acre Project Area ("Original Area") is located within a large unincorporated island in western portion of the County completely surrounded by the cities of Ontario on the southwest, Rancho Cucamonga on the northwest, and Fontana to the east, north and south.

The proposed Added Area to be added to the Original Area by the proposed Amended Plan consists of approximately 1,154 acres and consists of five non-contiguous areas that adjoin the Original Area boundaries at various locations. Sub Area A consists of commercial, industrial and residential properties that abut the northern boundary lines of the Original Area. Adjacent to eastern boundary line of the Original Area is a group of residential and industrial properties that make up Sub Area B. Sub Areas C-1 and C-2 are comprised of two groups of residential and industrial properties along Banana Avenue located near the southeast corner of the Original Area. Sub Area D is located south of the southern boundary of the Original Area and consists of primarily industrial uses.

This Amended Plan has been prepared by the CoRDA pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.) ("CRL"), the California Constitution and all applicable laws and ordinances. It does not present a specific plan for the redevelopment, rehabilitation and revitalization of any area within the Project Area; instead, it establishes a process and framework for implementation. This Amended Plan is based upon the Amended Preliminary Plan formulated and adopted by the San Bernardino County Planning Commission and the CoRDA on March 4, 2004 and March 16, 2004, respectively.

SECTION II. (200) GENERAL DEFINITIONS

The following definitions will be used generally in the context of this Amended Plan unless otherwise specified herein:

- A. "Added Area" means the area added by CoRDA Resolution No. 2003-407 and this Amended Plan.
- B. "Adopting Ordinance" means the County Ordinance approving and adopting the Amended and Restated Redevelopment Plan for the San Sevaine Redevelopment Project, as amended from time to time.
- C. "Amended Plan" means this Amended and Restated Redevelopment Plan for the San Sevaine Redevelopment Project, as amended from time to time.
- D. "Board of Directors" means the governing body of the San Bernardino County Redevelopment Agency
- E. "Board of Supervisors" or "Board" means the governing body of the County of San Bernardino.
- F. "CoRDA" means the San Bernardino County Redevelopment Agency.
- G. "CoRDA Board" means the governing body of the CoRDA.
- H. "County" means the County of San Bernardino, California.
- I. "Development Code" means the Development Code of the County.
- J. "Disposition and Development Agreement" means an agreement between a developer and the CoRDA that sets forth terms and conditions for improvement and redevelopment.
- K. "General Plan" means the County General Plan, a comprehensive and long-term General Plan for the physical development of the County as provided for in Section 65300 of the California Government Code.
- L. "Lawfully Residential" means a structure serving as a dwelling unit at the time of adoption of this Amended Plan. Such a structure, to be deemed lawfully residential, would at the time of its construction must be found to have been developed in accordance to the existing County General Plan and zoning designations covering the property.
- M. "Map" means the Map of the Project Area attached hereto as Exhibit A.

- N. "Method of Relocation" means the methods or plans adopted by the CoRDA pursuant to Sections 33352(f), 33411, and 33411.1 of the Redevelopment Law for the relocation of families, persons, businesses, and nonprofit local community institutions to be temporarily or permanently displaced by actions of the CoRDA.
- O. "Original Area" means the 2,835 acre Project Area as adopted by Ordinance No. 3631 adopted on December 19, 1995.
- P. "Owner Participation Agreement" means an agreement between the CoRDA and a property owner or tenant which sets forth terms and conditions for improvement and redevelopment.
- Q. "Person" means an individual(s), or any public or private entities.
- R. "Project" means any undertaking of the CoRDA pursuant to this Amended Plan.
- S. "Project Area" means the area described in Section 300 of this Amended Plan (the Original and Added Area), as amended from time to time.
- T. "Redevelopment Law" means the California Community Redevelopment Law (Health and Safety Code, Sections 33000, et seq.).
- U. "State" means the State of California.

SECTION III. (300) PROJECT AREA BOUNDARIES

The boundaries of the Project Area are illustrated on the map attached hereto and incorporated herein as Exhibit A-1. The legal description of the boundaries of the Project Area are as described in Exhibit B-1 and B-2 attached hereto and incorporated herein.

SECTION IV. (400) REDEVELOPMENT PLAN GOALS

Implementation of this Amended Plan is intended to achieve the following goals:

1. Elimination of blight and the correction of environmental deficiencies in the Project Area inclusive of the Original Area and the Added Area, including, among others, buildings in which it is unsafe or unhealthy for persons to live or work, incompatible and uneconomic land uses, and high crime rates.
2. Participation in the redevelopment process by property owners, business occupants, residents, and other individuals or groups as may be appropriate.
3. Preservation and enhancement of the unique cultural and historical qualities of the Project Area inclusive of the Original Area and the Added Area.
4. Preservation and enhancement of residential neighborhoods, including activities resulting in increased homeownership.

5. Preservation and enhancement of parks, open space, and recreational and community facilities serving the Project Area inclusive of the Original Area and the Added Area.
6. Strengthening of retail and other commercial functions in the Project Area inclusive of the Original Area and the Added Area.
7. Strengthening of the economic base of the Project Area inclusive of the Original Area and the Added Area by stimulating new investment.
8. Expansion of employment opportunities.
9. Provision of an environment for social and economic growth.
10. Replanning, redesign, and redevelopment of portions of the Project Area inclusive of the Original Area and the Added Area, which are stagnant or improperly utilized.
11. Assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area inclusive of the Original Area and the Added Area where suitable.
12. Expansion, improvement and preservation of the community's supply of affordable housing.
13. Installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities.
14. Conservation, rehabilitation and redevelopment of the Project Area inclusive of the Original Area and the Added Area in accordance with the General Plan and the Development Code.
15. The elimination of substandard buildings and those that conflict with uses in the General Plan and the applicable County standards and guidelines.
16. Creation of a strong industrial incentive program to encourage upgrading of industrial buildings and to attract new industrial uses to the area.
17. Elimination or amelioration of constraints to development, including, without limitation, accessibility constraints that interfere with proper development by providing, as may be appropriate, street, interchange, and railroad overpass or other public improvements.
18. Provision of assistance, as may be appropriate, to property owners, businesses, and investors to facilitate the rehabilitation or construction of buildings suitable for job generating industrial, retail, commercial, and service uses.

19. Provision, as may be appropriate, of assistance to public and private development entities in the mitigation of environmental conditions that interfere with property development.
20. Promotion of new and continuing private sector investment with the Project Area inclusive of the Original Area and the Added Project Area to prevent the loss of and to facilitate an increase in industrial, retail, commercial and service activity.

SECTION V. (500) REDEVELOPMENT ACTIONS

A. (501) General

The CoRDA proposes to eliminate and prevent the recurrence of blight, and improve the economic base of the Project Area by:

1. Elimination of areas suffering from economic dislocation and disuse;
2. Replanning, redesign and/or redevelopment of areas which are stagnant or improperly utilized and which could not be accomplished by private enterprise acting along without public participation and assistance;
3. Protecting and promoting sound development and redevelopment of blighted areas and the general welfare of the citizens by the County by remedying such injurious conditions through the employment of appropriate means;
4. Installation of new or replacement of existing public improvements, facilities and utilities in areas which are currently inadequately served with regard to such improvements, facilities and utilities; and
5. Other means as deemed appropriate.

To accomplish these actions and to implement this Amended Plan, the CoRDA is authorized to use the powers provided in this Amended Plan, and the powers now or hereafter permitted by the Redevelopment Law and any other State law.

B. (502) Property Acquisition

1. (503) Acquisition of Real Property

The CoRDA may acquire real property, any interest in property, and any improvements on it by any means authorized by law including, without limitation, by gift, grant, exchange, purchase, cooperative negotiations, lease, option, bequest, devise or, unless specifically exempted, by eminent domain. Eminent domain shall not be used to acquire properties that are lawfully residentially occupied, except if, pursuant to the County Zoning Code, such person or persons reside in a caretaker's or superintendent's residence which is a minor use related to and incidental to the principal industrial use on the same site. Unless exempted by State law, Redevelopment Law and by this Amended Plan, eminent

domain may be used to acquire any eligible property in any other portions of the Project Area.

a. (503.1) Eminent Domain Time Limitations

Except as otherwise provided herein, or otherwise provided by Redevelopment Law, no eminent domain proceedings shall be commenced in the Project Area after 12 years from the adoption of effective date of the Adopting Ordinance.

Such time limitation may be extended only by amendment of this Amended Plan, unless otherwise provided by Redevelopment Law.

To the extent as restricted by Redevelopment Law, the Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless: (1) such building requires structural alteration, improvement, modernization or rehabilitation; or (2) the site or lot on which the building is situated requires modification in size, shape or use; or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of this Amended Plan and the owner fails or refuses to participate in the Amended Plan by executing an Owner Participation Agreement.

The CoRDA is authorized to acquire real property devoted to public use through eminent domain, but property of a public body shall not be acquired without its consent.

2. (504) Acquisition of Personal Property

Where necessary in the implementation of this Amended Plan, the CoRDA is authorized to acquire personal property in the Project Area by any lawful means, including, without limitation, any means authorized by this Amended Plan or by State law for the acquisition of real property.

C. (505) Participation by Owners and Persons Engaged in Business

1. (506) Owner Participation

This Amended Plan provides for participation in the redevelopment of property in the Project Area by the owners of all or part of such property if the owners agree to participate in the redevelopment in conformity with this Amended Plan.

Opportunities to participate in the redevelopment of property in the Project Area may include without limitation the rehabilitation of property or structures; the retention of improvements; the development of all or a portion of the participant's property; the acquisition of adjacent or other properties from the CoRDA; purchasing or leasing properties in the Project Area; participating with developers in the improvement of all or a portion of a participant's properties; or other suitable means consistent with objectives and proposals of this Amended Plan and with the CoRDA's rules governing owner participation and re-entry.

In addition to opportunities for participation by individual persons and firms, participation, to the extent it is feasible, shall be available for two or more persons, firms or institutions, to join together in partnerships, corporations, or other joint entities.

The CoRDA desires participation in redevelopment activities by as many owners and business tenants as possible. However, participation opportunities shall necessarily be subject to and limited by such minimum factors as the expansion of public or public utilities facilities; elimination and changing of land uses; realignment of streets; the ability of the CoRDA and/or owners and business tenants to finance acquisition and development activities in accordance with this Amended Plan; and whether the proposed activities conform to and further the goals and objectives of this Amended Plan.

2. (507) Reentry Preferences for Persons Engaged in Business in the Project Area

The CoRDA shall extend reasonable preferences to persons who are engaged in business in the Project Area to relocate and reenter in business in the redeveloped area, if they otherwise meet the requirements prescribed by this Amended Plan and the CoRDA's rules governing owner participation and re-entry.

3. (508) Owner Participation

a. Owner Participation Agreements

The CoRDA may enter into an Owner Participation Agreement wherein the participant shall agree to rehabilitate, develop, or use the property in conformance with this Amended Plan and be subject to the provisions hereof. Pursuant to the Owner Participation Agreement, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Amended Plan applicable to their properties.

In the event a participant breaches the terms of an Owner Participation Agreement, the CoRDA may declare the Agreement terminated and may acquire the real property or any interest therein, and may sell or lease such real property or interest therein for rehabilitation or development in accordance with this Amended Plan. If conflicts develop between the desires of participants for particular sites or land uses, the CoRDA is authorized to establish reasonable priorities and preferences among the owners and tenants.

Where the CoRDA determines that a proposal for participation is not feasible, is not in the best interests of the CoRDA or County, or that redevelopment can best be accomplished without affording a participant an opportunity to execute an Owner Participation Agreement, the CoRDA shall not be required to execute such an agreement.

b. Statement of Interest

Before making offers to purchase property in the Project Area, and a minimum of 90 days prior to entering into an Exclusive Negotiating Agreement or other redevelopment contract, the CoRDA shall notify the owners of any such properties, and long-term tenants (tenants with a remaining lease term in excess of one year), by certified mail, return receipt requested, that the CoRDA is considering the acquisition of such property. The CoRDA shall include a form entitled "Statement of Interest in Participating" (see "Owner Participation Rules," a separate CoRDA document), herein referred to as "Statement," with the notification. Within 30 days of receipt of such notification, any owner interested in participating in the Project Area shall file a "Statement of Interest in Participating."

The CoRDA may disregard any Statements received after such 30-day period. Any owner or tenant may also submit such a Statement at any time before such notification.

The CoRDA shall consider such Statements as are submitted on time and seek to develop reasonable participation for those submitting such Statements whether to stay in place, to move to another location, to obtain preferences to reenter the Project Area, etc.

c. Property Owner/Tenant Proposals

Property owners and long-term tenants who timely submit a Statement of Interest shall be given an additional 60 days to submit a redevelopment proposal that will be considered by the CoRDA on a competitive basis before the CoRDA enters into an Exclusive Negotiating Agreement or other redevelopment contract with another owner or developer. All relevant public information available to the CoRDA that is provided to other property owners or developers shall be made available to interested owners and tenants who request information. The CoRDA is obligated to consider in good faith any redevelopment proposal submitted by property owners and long-term tenants and, if their proposal is disapproved, the CoRDA shall state in writing the reasons for such disapproval.

The CoRDA shall give property owners and long-term tenants a subsequent opportunity to submit a development proposal in the following circumstances: a) if, after the CoRDA has rejected or disapproved a property owner's or tenant's redevelopment proposal, the CoRDA does not enter into a binding legal contract with another owner or developer for redevelopment of the subject property within one year; or b) if the CoRDA approves a substantial modification of the proposed project after the owner/tenant's proposal is rejected or disapproved, and, if failing to provide another opportunity for the owner/tenant to submit a revised proposal would be unfair under the circumstances as reasonably determined by the CoRDA.

D. (509) Implementing Rules

The provisions of Sections 505-508 of this Amended Plan shall be implemented according to the Owner Participation Rules adopted by the CoRDA prior to the adoption of the Adopting Ordinance, which may be amended from time to time by the CoRDA without an amendment of the Amended Plan. Such rules allow for Owner Participation Agreements with the CoRDA.

E. (510) Cooperation with Public Bodies

Certain public bodies are authorized by State law to aid and cooperate, with or without consideration, in the planning and implementation of activities authorized by this Amended Plan. The CoRDA shall seek the aid and cooperation of such public bodies and shall attempt to coordinate the implementation of this Amended Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and to achieve the highest public good.

The CoRDA shall seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and business tenant participation if such public body is willing to enter into an Owner Participation Agreement with the CoRDA. All plans for development of property in the Project Area by a public body shall be subject to CoRDA approval.

The CoRDA may impose on all public bodies the planning and design controls contained in and authorized by this Amended Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Amended Plan. The CoRDA is authorized, to the extent permissible by law, to financially (and otherwise) assist public bodies in the cost of public land, buildings, facilities, structures or other improvements (within or outside the Project Area) where such land, buildings, facilities, structures, or other improvements are of benefit to the Project Area.

F. (511) Property Management

During such time as property, if any, in the Project Area is owned by the CoRDA, such property shall be under the management and control of the CoRDA. Such properties may be rented or leased by the CoRDA pending their disposition.

G. (512) Payments to Taxing Agencies

The CoRDA may pay, but is not required to pay, in any year during which it owns property in the Project Area that is tax exempt, directly to any County or district, including, but not limited to, a school district, or other public corporation for whose benefit a tax would have been levied upon such property had it not been tax exempt, an amount of money in lieu of taxes that may not exceed the amount of money the public entity would have received if the property had not been tax exempt.

To the extent required by the Redevelopment Law, the CoRDA will make statutory pass-through payments to affected taxing entities.

H. (513) Relocation of Persons Displaced by a Project

1. (514) Relocation Program

In accordance with the provisions of the California Relocation Assistance Law (Government Code Section 7260, et seq.), the guidelines adopted and promulgated by the California Department of Housing and Community Development (the "Relocation Guidelines") and the Method of Relocation adopted by the CoRDA, the CoRDA shall provide relocation benefits and assistance to all persons (including families, business concerns and others) displaced by CoRDA acquisition of property in the Project Area or as otherwise required by law. Such relocation assistance shall be provided in the manner required by the Method of Relocation. In order to carry out a redevelopment project with a minimum of hardship, the CoRDA will assist displaced households in finding decent, safe and sanitary housing within their financial means and otherwise suitable to their needs. The CoRDA shall make a reasonable effort to relocate displaced individuals, families, and commercial and professional establishments within the Project Area. The CoRDA is also authorized to provide relocation for displaced persons outside the Project Area.

2. (515) Relocation Benefits and Assistance

The CoRDA shall provide all relocation benefits required by law and in conformance with the Method of Relocation, Relocation Guidelines, State Relocation Law (Government Code 7260 through 7277), the Redevelopment Law, and any other applicable rules and regulations.

I. (516) Demolition, Clearance, Public Improvements, Site Preparation and Removal of Hazardous Waste

1. (517) Demolition and Clearance

The CoRDA is authorized, for property acquired by the CoRDA or pursuant to an agreement with the owner of property, to demolish, clear or move buildings, structures, or other improvements from any real property as necessary to carry out the purposes of this Amended Plan.

2. (518) Public Improvements

To the extent permitted by Redevelopment Law, the CoRDA is authorized to install and construct or to cause to be installed and constructed the public improvements and public utilities (within or outside the Project Area) necessary to carry out the purposes of this Amended Plan. Such public improvements and public utilities include, but are not limited to: the construction expansion, rehabilitation or modernization of underpasses; bridges; streets; curbs; gutters; sidewalks; street lights; public transportation facilities; sewers; storm drains; sewer treatment facilities; waste water disposal areas; flood control facilities; traffic signals; electrical distribution systems, natural gas distribution systems; energy generation facilities; cable TV systems; communication systems, fire fighting facilities, police security and criminal justice facilities; water distribution systems; parks; plazas; playgrounds; motor vehicle parking facilities; landscaped areas; schools; libraries; civic; cultural; and recreational facilities; and pedestrian

improvements. A list of proposed public facilities and infrastructure improvement projects currently anticipated is included in the projects list set forth in Exhibit C, the Proposed Actions and Projects, and incorporated herein by reference.

The CoRDA, as it deems necessary to carry out the Amended Plan and subject to the consent of the Board of Supervisors, may pay or finance all or part of the value of the land for and the cost of the installation, construction expansion, rehabilitation, or modernization of any building, facility, structure or other improvement which is publicly owned either within or outside the Project Area, upon both the CoRDA Board and the Board of Supervisors making the applicable determinations required pursuant to the Redevelopment Law.

When the value of such land or the cost of the installation and construction of such building, facility, structure or other improvement, or both, has been, or will be, paid or provided for initially by the County or other public corporation, the CoRDA may enter into a contract with the County or other public corporation under which it agrees to reimburse the County or other public corporation for all or part of the value of such land or all or part of the cost of such building, facility, structure or other improvements, or both, by periodic payments over a period of years. Any obligation of the CoRDA under such contract shall constitute an indebtedness of the CoRDA for the purposes of carrying out this Amended Plan.

3. (519) Preparation of Building Sites

The CoRDA may develop as a building site any real property owned or acquired by it. In connection with such development it may cause, provide, or undertake or make provisions with other agencies for the installation, or construction of streets, utilities, parks, playgrounds and other public improvements necessary for carrying out this Amended Plan in the Project Area.

4. (520) Removal of Hazardous Waste

To the extent legally allowable, the CoRDA may take any actions which the CoRDA determines are necessary and which are consistent with other State and federal laws, to remedy or remove a release of hazardous substances on, under, or from property within the Project Area.

J. (521) Rehabilitation, Moving of Structures by the CoRDA and Seismic Repairs

1. (522) Rehabilitation and Conservation

The CoRDA is authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any property, building or structure in the Project Area owned by the CoRDA. The CoRDA is also authorized to advise, encourage, and assist (through a loan program or otherwise) in the rehabilitation and conservation of property, buildings or structures in the Project Area not owned by the CoRDA to the extent permitted by the Redevelopment Law. The CoRDA is authorized to acquire, restore, rehabilitate, move and conserve buildings of historic or architectural significance.

It shall be the purpose of this Amended Plan to allow for the retention of as many existing businesses as practicable and to enhance the economic life of these businesses by a program of voluntary participation in their conservation and rehabilitation. The CoRDA is authorized to conduct a program of assistance and enforcement to encourage owners of property within the Project Area to upgrade and maintain their property consistent with this Amended Plan and such standards as may be developed for the Project Area.

The extent of rehabilitation in the Project Area shall be subject to the discretion of the CoRDA based upon such objective factors as:

- a. Compatibility of rehabilitation with land uses as provided for in this Amended n.
- b. Economic feasibility of proposed rehabilitation and conservation activity.
- c. Structural feasibility of proposed rehabilitation and conservational activity.
- d. The undertaking of rehabilitation and conservation activities in an expeditious manner and in conformance with the requirements of this Amended Plan and such property rehabilitation standards as may be adopted by the CoRDA.
- e. The need for expansion of public improvements, facilities and utilities.
- f. The assembly and development of properties in accordance with this Amended Plan.

The CoRDA may adopt property rehabilitation standards for the rehabilitation of properties in the Project Area.

2. (523) Moving of Structures

As necessary in carrying out this Amended Plan, the CoRDA is authorized to move, or to cause to be moved, any building structures or other improvements from any real property acquired which can be rehabilitated to a location within or outside the Project Area.

3. (524) Seismic Retrofit

For any project undertaken by the CoRDA within the Project Area for building rehabilitation or alteration in construction, the CoRDA may, by following all applicable procedures which are consistent with County, State, and federal law, take those actions which the CoRDA determines are necessary to provide for seismic retrofits.

K. (525) Property Disposition and Development

1. (526) Real Property Disposition and Development

a. (527) General

For the purposes of this Amended Plan, the CoRDA is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by State law, the CoRDA is authorized to dispose of real property by negotiated lease or sale without public bidding. Except as otherwise permitted by State law, before any interest in property of the CoRDA acquired in whole or in part, directly or indirectly, with tax increment moneys is sold or leased for development pursuant to this Amended Plan, such sale or lease shall be first approved by the Board of Supervisors after public hearing.

Except as otherwise permitted by law, no real property acquired by the CoRDA, in whole or in part with tax increment, or any interest therein, shall be sold or leased for development pursuant to the Amended Plan for an amount less than its fair market value, or the fair reuse value at the use and with the covenants, conditions and development costs authorized by the sale or lease.

Unless otherwise permitted by State law, the real property acquired by the CoRDA in the Project Area, except property conveyed to it by the County, shall be sold or leased to public or private persons or entities for improvement and use of the property in conformance with this Amended Plan. To the extent permitted by law, real property may be conveyed by the CoRDA to the County, and where beneficial to the Project Area, to any other public body without charge or for an amount less than fair market value.

All purchasers or lessees of property from the CoRDA shall be obligated to use the property for the purposes designated in this Amended Plan, to begin and complete improvement of such property within a period of time which the CoRDA fixes as reasonable, and to comply with other conditions which the CoRDA deems necessary to carry out the purposes of this Amended Plan.

During the period of redevelopment in the Project Area, the CoRDA shall ensure that all provisions of this Amended Plan, and other documents formulated pursuant to this Amended Plan, are being observed, and that

development of the Project Area is proceeding in accordance with applicable development documents and time schedules.

All development, whether public or private, must conform to this Amended Plan and all applicable federal, State, and local laws, including without limitation the County's land use and Development Code, building, environmental and other land use development standards. Such development must receive the approval of all appropriate public agencies.

b. (528) Purchase and Development Documents

To provide adequate safeguards to ensure that the provisions of this Amended Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the CoRDA, as well as all property subject to Owner Participation Agreements, shall be made subject to the provisions of this Amended Plan by leases, deeds, contracts, agreements, declarations of restrictions, provisions of the planning and zoning ordinances of the County, conditional use permits, or other means. Where appropriate, as determined by the CoRDA, such documents or portions thereof shall be recorded in the office of the Recorder of the County.

Leases, deeds, contracts, agreements, and declarations of restrictions of the CoRDA may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Amended Plan.

The CoRDA shall reserve such powers and controls in Disposition and Development Agreements or similar agreements as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that redevelopment is carried out pursuant to this Amended Plan.

The CoRDA shall obligate lessees and purchasers of real property acquired in redevelopment projects and owners of property improved as part of a redevelopment project to refrain from discrimination or segregation based upon race, color, creed, religion, national origin, ancestry, sex, marital status, sexual orientation, physical condition, pregnancy or pregnancy-related condition, political affiliation or opinion, age, or medical condition in the sale, lease, sublease, transfer, use occupancy, tenure or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to Disposition and Development Agreements shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease or other transfer of land in the Project Area shall contain such nondiscrimination and non-segregation clauses as are required by law.

2. (529) Personal Property Disposition

For the purposes of this Amended Plan, the CoRDA is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber, or otherwise dispose of personal property.

L. (530) Provision for Low and Moderate Income Housing

1. (531) Definition of Terms

Unless otherwise permitted or required by law, the terms “affordable housing cost”, “replacement dwelling unit”, “persons and families of low or moderate income”, “substantially rehabilitated dwelling units” and “very low income households” as used herein shall have the meanings as now defined by the Redevelopment Law and other State and local laws and regulations pertaining thereto.

2. (532) Authority Generally

The CoRDA may, inside or outside the Project Area: acquire real property, buildings sites, buildings or structures, donate real property, improve real property or building sites, construct or rehabilitate buildings or structures, and take any other such actions as may be permitted by the Redevelopment Law, in order to provide housing for persons and families of low or moderate income.

3. (533) Replacement Housing

Except as otherwise permitted by law, whenever dwelling units housing persons and families of low or moderate income are destroyed or removed from the low and moderate income housing market as part of a redevelopment project, the CoRDA shall, within four years of such destruction or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low or moderate income, an equal number of replacement dwelling units which have an equal or greater number of bedrooms as those destroyed or removed units at affordable housing costs within the territorial jurisdiction of the CoRDA. Except as otherwise permitted by law, when dwelling units are destroyed or removed on or after January 1, 2002, one hundred percent (100%) of the replacement dwelling units shall replace dwelling units available at affordable housing costs in the or a lower income level of very low income households, lower income households, and persons and families of low and moderate income, as the persons displaced from those destroyed or removed units.

4. (534) New or Rehabilitated Dwelling Units Developed Within the Project Area

Unless otherwise permitted by Redevelopment Law, at least thirty percent (30%) of all new and substantially rehabilitated dwelling units developed by the CoRDA shall be available at affordable housing cost to persons and families of low or moderate income and of such thirty percent (30%), not less than fifty percent (50%) shall be available to and occupied by very low income households. Unless otherwise permitted by Redevelopment Law, at least fifteen percent (15%) of all new and substantially rehabilitated dwelling units developed within the Project Area by public or private entities or persons other than the CoRDA shall be available at affordable housing cost to persons and families of low or moderate income and of such fifteen percent (15%), not less than forty percent (40%) shall be available at affordable housing cost to very low income households. The percentage requirements set forth in this Section 534 shall apply independently of the requirements of Section 533 of this Amended Plan and in the aggregate to the supply of housing to be made available pursuant to this Section 534 and not to each individual case of rehabilitation, development or construction of dwelling units.

Pursuant to the Redevelopment Law, the CoRDA shall prepare and adopt a plan to comply with the requirements set forth above, for the Project Area. The plan shall be consistent with, and may be included within the Housing Element of the County General Plan. Unless otherwise permitted by Redevelopment Law, the plan shall be reviewed and, if necessary, amended at least every five (5) years in conjunction with the housing element cycle. Unless otherwise permitted by Redevelopment Law, the plan shall ensure that the requirements of this section are met every ten (10) years.

Except as otherwise permitted by Redevelopment Law, the CoRDA shall require, by contract or other appropriate means, that whenever any low and moderate income housing units are developed within the Project Area, such units shall be made available on a priority basis for rent or purchase, whichever the case may be, to persons and families of low or moderate income displaced by the Project; failure to give such priority shall not affect the validity of title to the real property upon which such housing units have been developed.

5. (535) Duration of Dwelling Unit Availability

Unless otherwise permitted and/or required by Redevelopment Law, the CoRDA shall require the aggregate number of dwelling units rehabilitated, developed or constructed to remain available at affordable housing cost to very low income, low income, and moderate income households for the longest feasible time. In no instance shall the CoRDA allow less than the period permitted and/or required by Redevelopment Law.

6. (536) Relocation Housing

If insufficient suitable housing units are available in the Project Area for use by persons and families of low or moderate income displaced by a Project, the CoRDA may, to the extent of that deficiency, direct or cause the development, rehabilitation or construction of housing units within the County, both inside and outside the Project Area.

7. (537) Increased and Improved Supply

Except as otherwise permitted by Redevelopment Law, not less than twenty percent (20%) of all taxes which are allocated to the CoRDA pursuant to subdivision (b) of Section 33670 of the Redevelopment Law and Section 702(2) and (3) of this Amended Plan shall be used by the CoRDA for the purposes of increasing, improving and preserving the County's supply of low and moderate income housing available at affordable housing cost as defined by Section 50052.5 of the California Health and Safety Code, to persons and families of low or moderate income, as defined in Section 50093 of the California Health and Safety Code, and very low income households, as defined in Section 50105 of the California Health and Safety Code, and extremely low income households, as defined in Section 50106 of the California Health and Safety Code, unless one or more applicable findings are made pursuant to the Redevelopment Law.

The funds for this purpose shall be held in a separate Low and Moderate Income Housing Fund until used. Any interest earned by such Low and Moderate Income Housing Fund shall accrue to the Housing Fund.

In implementing this Section 537 of the Amended Plan, the CoRDA may exercise any or all of its powers including, but not limited to, the following:

1. Acquire real property or building sites.
2. Improve real property or building sites with on-site or off-site improvements.
3. Donate real property to private or public persons or entities.
4. Finance insurance premiums.
5. Construct buildings or structures.
6. Acquire buildings or structures.
7. Rehabilitate buildings or structures.
8. Provide subsidies to, or for the benefit of, very low income households, as defined by Section 50105 of the California Health and Safety Code, lower income households, as defined by Section 50079.5 of the California Health and Safety Code, or persons and families of low or moderate income, as defined by Section 50093

of the California Health and Safety Code, to the extent those households cannot obtain housing at affordable costs on the open market. Housing units available on the open market are those units developed without direct government subsidies.

9. Develop plans, pay principal and interest on bonds, loans, advances, or other indebtedness or pay financing or carrying charges.
10. Maintain the community's supply of mobile homes.
11. Preserve the availability to lower income households of affordable housing units in housing developments which are assisted or subsidized by public entities and which are threatened with imminent conversion to market rates.

The CoRDA may use these funds to meet, in whole or in part, the replacement housing provisions in Section 533 of this Amended Plan. These funds may be used inside or outside the Project Area; however, these funds may be used outside the Project Area only if findings of benefit to the Project Area are made pursuant to the Redevelopment Law.

8. (538) Duration of Affordability

Except as provided in Section 33334.3 of the Redevelopment Law, or as otherwise permitted by law, all new or substantially rehabilitated housing units developed or otherwise assisted with moneys from the Low and Moderate Income Housing Fund pursuant to an agreement approved by the CoRDA shall be required to remain available at affordable housing cost to persons and families of low or moderate income and very low income households for the longest feasible time, but for not less than the following periods of time:

- a. Fifty-five (55) years for rental units. However, the CoRDA may replace rental units with equally affordable and comparable rental units in another location within the County if (i) the replacement units are available for occupancy prior to the displacement of any persons and families of low or moderate income residing in the units to be replaced and (ii) the comparable replacement units are not developed with moneys from the Low and Moderate Income Housing Fund.
- b. Forty-five (45) years for owner-occupied units. However, the CoRDA may permit sales of owner-occupied units prior to the expiration of the 45-year period for a price in excess of that otherwise permitted under this subdivision pursuant to an adopted program which protects the CoRDA's investment of moneys from the Low and Moderate Income Housing Fund.

SECTION VI. (600) USES PERMITTED IN THE PROJECT AREA

A. (601) Map and Uses Permitted

The Project Area Map attached hereto as Exhibit A-1 and incorporated herein illustrates the location of the Project Area boundaries, the immediately adjacent streets, and existing public rights-of-way and public easements. The land uses permitted by this Amended Plan shall be those permitted by the County General Plan and Development Code.

B. (602) Major Land Uses (as now provided in the County General Plan)

Major land uses permitted within the Project Area shall include:

<u>Original Area</u>	<u>Added Area</u>
Single Family Residential – RS	Single Family Residential – RS
Regional Industrial – IR	Neighborhood Commercial – CN
Multiple Residential – RM	Multiple Residential – RM
Community Industrial – IC	Regional Industrial – IR
Neighborhood Commercial – CN	Rural Living – RL
Planned Development - PD	Community Industrial – IC

The areas shown on the plan maps may be used for any of the various kinds of uses specified for or permitted within such areas by the General Plan and Development Code.

C. (603) Public Uses

1. (604) Public Street Layout, Rights-of-Way and Easements

The public street system for the Project Area is illustrated on the Project Area Maps identified as Exhibit A-1. The street system in the Project Area shall be developed in accordance with the Transportation/Circulation Element of the General Plan.

Certain streets and rights-of-way may be widened, altered, abandoned, vacated, or closed by the County as necessary for proper development of the Project Area. Additional easements may be created by the CoRDA and County in the Project Area as needed for proper development and circulation.

The public rights-of-way shall be used for vehicular, bicycle and/or pedestrian traffic as well as for public improvements, public and private utilities and activities typically found in public rights-of-way. In addition, all necessary easements for public uses, public facilities, and public utilities may be retained or created.

2. (605) Other Public and Open Space Uses

Both within and, where appropriate, outside of the Project Area, the CoRDA is authorized to permit, establish, or enlarge public, institutional, or non-profit uses, including, but not limited to, schools, community centers, auditorium and civic center facilities, criminal justice facilities, park and recreational facilities, parking facilities, transit facilities, libraries, hospitals, educational, fraternal, philanthropic and charitable institutions or other similar associations or organizations. All such uses shall be deemed to conform to the provisions of this Amended Plan provided that such uses conform to all other applicable laws and ordinances and that such uses are approved by the County. The CoRDA may impose such other reasonable restrictions as are necessary to protect development and uses in the Project Area.

D. (606) Conforming Properties/Certificates of Conformance

The CoRDA may, in its sole and absolute discretion, determine that certain real properties within the Project Area meet the requirements of this Amended Plan, and the owners of such properties may be permitted to remain as owners of conforming properties without an Owner Participation Agreement with the CoRDA, provided such owners continue to operate, use, and maintain the real properties within the requirements of this Amended Plan. If such a determination is made by the CoRDA, the CoRDA may issue a Certificate of Conformance to qualifying properties and these properties will not be subject to acquisition by eminent domain under this Amended Plan so long as the property continues to conform to this Amended Plan and to other terms and conditions required by the CoRDA. If a property owner makes a written request for a Certificate of Conformance, the CoRDA shall, within 120 days, issue a Certificate of Conformance, or notify the property owner in writing what specific action the owner must take in order to receive a Certificate of Conformance. If a Certificate of Conformance is issued, the CoRDA may not institute an eminent domain action to acquire the property covered by the Certificate of Conformance as long as the property is maintained in good condition.

An owner of a conforming property may be required by the CoRDA to enter into an Owner Participation Agreement with the CoRDA in the event that such owner desires to (1) construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or (2) acquire additional property within the Project Area.

E. (607) Nonconforming Uses

The CoRDA is authorized but not required to permit an existing use to remain in an existing building in good condition if the use does not conform to the provisions of this Amended Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area.

The CoRDA may, but is not required to, authorize additions, alterations, repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Amended Plan where, in the determination of the CoRDA, such improvements would be compatible with surrounding Project Area uses and proposed development.

F. (608) Interim Uses

Pending the ultimate development of land by developers and participants, the CoRDA is authorized to use or permit the use of any land in the Project Area for interim or temporary uses in conformity with the uses permitted in the General Plan and Development Code. Such interim or temporary use shall also conform to all applicable sections of the County codes and regulations permitting and regulating such uses.

G. (609) General Controls and Limitations

All real property in the Project Area is hereby made subject to the controls and requirements of this Amended Plan. No real property shall be developed, redeveloped, rehabilitated, or otherwise changed after the date of the adoption of this Amended Plan except in conformance with the goals and provisions of this Amended Plan and all applicable County codes and ordinances. The land use controls of this Amended Plan shall apply to all of Section 600, inclusive, and for the periods set forth in Section 1002. Additional specific performance and development standards that may be more restrictive than the General Plan and Development Code may be adopted by resolution of the CoRDA to control and direct improvement activities in the Project Area. The type, size, height, number and use of buildings or structures within the Project Area will be controlled by the applicable County Development Code and CoRDA specific performance and development standards as exist or may hereafter be adopted and amended from time to time.

1. (610) New Construction

All construction in the Project Area shall comply with all applicable State and local laws in effect from time to time. In addition to applicable County codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the CoRDA to control and direct improvement activities in the Project Area.

2. (611) Rehabilitation

Any existing structure within the Project Area which the CoRDA shall approve for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will meet the following requirements: be safe and sound in all physical respects, be attractive in appearance and not detrimental to the surrounding uses.

3. (612) Number of Dwelling Units

The total number of dwelling units in the Project Area shall be regulated by the General Plan. As of the date of adoption of the Adopting Ordinance, there are approximately 799 dwelling units in the Added Area. Per the 1995 Redevelopment Plan, there were 59 residential units in the Original Area on the date of adoption of the Ordinance No. 3631 on December 19, 1995.

4. (613) Open Space and Landscaping

The approximate amount of open space to be provided in the Project Area is the total of all areas so designated and diagrammed in the Land Use Element of the General Plan and those areas in the public rights-of-way or provided through site coverage limitations on new development as established by the County and this Amended Plan. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material in conformance with the specific performance and development standards of the CoRDA.

5. (614) Limitations on Type, Size and Height of Buildings

The limits on building intensity, type, size and height, shall be established in accordance with the provisions and diagrams of the General Plan and the Development Code, and the CoRDA's specific performance and development standards as they now exist or are hereafter adopted or amended.

6. (615) Signs

All signs shall conform to the County's and CoRDA's requirements. Design of all proposed new signs shall be submitted prior to installation to the appropriate governing bodies of the County and/or the CoRDA for review and approval pursuant to the County and CoRDA procedures permitted by this Amended Plan. New signs must contribute to a reduction in sign blight.

7. (616) Utilities

The CoRDA shall require that all utilities be placed underground whenever physically possible and economically feasible.

8. (617) Incompatible Uses

No use or structure which is by reason of appearance, traffic, parking, smoke, glare, noise, odor, or similar factors incompatible with the surrounding areas, structures, or uses shall be permitted in any part of the Project Area, except as otherwise permitted by the County and CoRDA.

9. (618) Subdivision of Parcels

No parcels in the Project Area, including any parcel retained by a participant, shall be consolidated, subdivided or re-subdivided without the approval of the County, and, if necessary for purposes of this Amended Plan, the CoRDA.

10. (619) Minor Variations

The CoRDA is authorized to permit minor variations from the limits, restrictions and controls established by this Amended Plan. In order to permit any such variation, the CoRDA must determine all of the following:

- a. The application of certain provisions of this Amended Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of this Amended Plan.
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls.
- c. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area.
- d. Permitting a variation will not be contrary to the objectives of this Amended Plan.

No such variation shall be granted which permits other than a minor departure from the provisions of this Amended Plan. In permitting any such variation, the CoRDA shall impose such conditions as are necessary to protect the public health, safety, or welfare, and to assure compliance with the purposes of this Amended Plan.

H. (620) Design for Development

Within the limits, restrictions, and controls established in this Amended Plan, the CoRDA is authorized to establish heights of buildings, land coverage, setback requirements, design and sign criteria, traffic access, parking, and other development and design controls necessary for proper development and use of both private and public areas within the Project Area. These specific performance and development standards may be established by the approval of specific developments, by the adoption of certain project restrictions and controls, or by the adoption of one or more Design Guides pursuant to this Section, all by resolution of the CoRDA.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated except in accordance with this Amended Plan and any such controls approved by resolution of the CoRDA. In the case of properties, which are subject to a Disposition and Development Agreement or an Owner Participation Agreement with the CoRDA, such property shall be developed in accordance with the provisions of such agreements. One of the objectives of this Amended Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space and other amenities to enhance the aesthetic quality of the Project Area. The CoRDA shall not approve any plans that do not comply with this Amended Plan.

I. (621) Building Permits

No permits shall be issued for the construction of any new building or any addition, construction, demolition, moving, conversion or alteration to any existing building or structure, or preparation of any site, or the installation of any physical improvements, including grading and landscaping, in the Project Area from the date of adoption of this Amended Plan until the application for such permit has been made by the owner or his agent and processed in the manner consistent with the provisions of this Amended Plan, any Design Guide, any restrictions or controls of specific performance and development

standards established by resolution of the CoRDA, and any applicable participation or other agreement.

SECTION VII. (700) METHODS FOR FINANCING THE PROJECT

A. (701) General Description of the Proposed Financing Methods

Upon adoption of this Amended Plan by the Board of Supervisors, the CoRDA is authorized to finance implementation of this Amended Plan with assistance from local sources, the State and/or the federal government, property tax increment, interest income, CoRDA bonds, donations, loans from private financial institutions or any other legally available source.

The CoRDA is also authorized to obtain advances, borrow funds, issue bonds or other obligations, and create indebtedness in carrying out this Amended Plan. The principal and interest on such indebtedness may be paid from tax increment revenue or any other funds available to the CoRDA. Advances and loans for survey and planning and for the operating capital for administration of this Amended Plan may be provided by the County until adequate tax increment revenue or other funds are available to repay the advances and loans. The County or other public CoRDA, as it is able, may also supply additional assistance through issuance of bonds, loans and grants and in-kind assistance. Any assistance shall be subject to terms established by an agreement between the CoRDA, County and/or other public agency providing such assistance.

As available, gas tax funds from the State and sales tax funds from the County may be used for the street system.

The CoRDA may issue bonds or other obligations and expend their proceeds to carry out this Amended Plan. The CoRDA is authorized to issue bonds or other obligations as appropriate and feasible in an amount sufficient to finance all or any part of Amended Plan implementation activities. The CoRDA shall pay the principal and interest on bonds or other obligations of the CoRDA as they become due and payable.

B. (702) Tax Increment Revenue

All taxes levied upon taxable property within the Project Area each year by or for the benefit of the State, County or other public corporation (hereinafter called "Taxing Agency" or "Taxing Agencies") after the effective date of the Adopting Ordinance, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of the Taxing Agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of such property by such Taxing Agency, last equalized prior to the effective date of such adopting ordinance, shall be allocated to and when collected shall be paid to the respective Taxing Agencies as taxes by or for the Taxing Agencies on all other property are paid (for the purpose of allocating taxes levied by or for any Taxing Agency or Agencies which did not include the territory in the Project Area on the effective date of the adopting ordinance but to which such territory has been annexed or otherwise included after such effective date, the

assessment roll of the County last equalized on the effective date of the adopting ordinance shall be used in determining the assessed valuation of the taxable property in the Project Area on the effective date).

2. That portion of the levied taxes each year in excess of such amount shall be allocated to, and when collected shall be paid into, a special fund of the CoRDA to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the CoRDA to finance or refinance in whole or in part, the redevelopment project. Unless and until the total assessed valuation of the taxable property in the Project Area exceeds the total assessed value of the taxable property in the Project Area as shown by the last equalized assessment roll referred to in paragraph (1.) hereof, all of the taxes levied and collected upon the taxable property in the Project Area shall be paid to the respective Taxing Agencies. When the loans, advances, and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project Area shall be paid to the respective Taxing Agencies as taxes on all other property are paid.
3. That portion of the taxes in excess of the amount identified in paragraph (1.) above which is attributable to a tax rate levied by a Taxing Agency for the purpose of producing revenues in an amount sufficient to make annual repayments of the principal of and interest on any bonded indebtedness for the acquisition or improvement of real property shall be allocated to, and when collected shall be paid into, the fund of that Taxing Agency. This paragraph (3.) shall only apply to taxes levied to repay bonded indebtedness approved by the voters on or after January 1, 1989.

The CoRDA is authorized to make pledges as to specific advances, loans and indebtedness as appropriate in carrying out the Project. The portion of taxes allocated and paid to the CoRDA pursuant to subparagraph (2.) above is irrevocably pledged to pay the principal of and interest on loans, monies advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by the CoRDA to finance or refinance, in whole or in part, the redevelopment program for the Project Area.

C. (703) CoRDA Bonds

The CoRDA is authorized to issue bonds and other obligations from time to time, if it deems it appropriate to do so, in order to finance all or any part of Amended Plan implementation activities.

Neither the members of the CoRDA nor any persons executing the bonds are liable personally on the bonds or other obligations by reason of their issuance.

The bonds and other obligations of the CoRDA are not a debt of the County or the State; nor are any of its political subdivisions liable for them; nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the CoRDA; and such bonds and other obligations shall so state on their face. The bonds and other obligations do not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

The amount of bonded indebtedness, to be repaid in whole or in part from the allocation of taxes pursuant to Section 33670 of the Redevelopment Law, which can be outstanding at one time, shall not exceed the limit as stated in Section 1004 of this Amended Plan, except by amendment to this Amended Plan.

D. (704) Other Loans and Grants

Any other loans, grants, guarantees or financial assistance from the federal government, the State, or any other public or private source will be utilized, if available, as appropriate in carrying out this Amended Plan. In addition, the CoRDA may make loans as permitted by law to public or private entities for any of its redevelopment purposes.

E. (705) Rehabilitation Loans, Grants, and Rebates

The CoRDA and the County may commit funds from any source to rehabilitation programs for the purposes of loans, grants, or rebate payments for self-financed rehabilitation work. The rules and regulations for such programs shall be those which may already exist or which may be developed in the future. The CoRDA and the County shall seek to acquire grant funds and direct loan allocations from State and federal sources, as they may be available from time to time, for the carrying out of such programs.

SECTION VIII. (800) ACTIONS BY THE COUNTY

The County shall aid and cooperate with the CoRDA in carrying out this Amended Plan and shall take all reasonable actions necessary to ensure the continued fulfillment of the purposes of this Amended Plan and to prevent the recurrence or spread in the Project Area of conditions of blight. Actions by the County may include, but shall not be limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening, or changing the grades of streets, alleys, and other public rights-of-way, and for other necessary modifications of the streets, the street layout, and other public rights-of-way in the Project Area. Such action by the County shall include the requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Amended Plan, provided that nothing in this Amended Plan shall be deemed to require the cost of such abandonment, removal, and relocation to be borne by others than those legally required to bear such costs.
2. Institution and completion of proceedings necessary for changes and improvements to publicly-owned parcels and utilities in the Project Area.
3. Performance of the above and of all other functions and services relating to public health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
4. Imposition, whenever necessary, of appropriate design controls within the limits of this Amended Plan in the Project Area to ensure proper development and use of land.

5. Provisions for administration/enforcement of this Amended Plan by the County after completion of development.
6. The undertaking and completion of any other proceedings necessary to carry out the Project.
7. The expenditure of any County funds in connection with redevelopment of the Project Area pursuant to this Amended Plan.
8. Revision of the County Development Code, adoption of specific plans, additional specific performance and development standards, design guides, or execution of statutory development agreements to permit the land uses and facilitate the development authorized by this Amended Plan.

SECTION IX. (900) ADMINISTRATION AND ENFORCEMENT

Upon adoption, the administration and enforcement of this Amended Plan or other documents implementing this Amended Plan shall be performed by the County and/or the CoRDA, as appropriate.

The provisions of this Amended Plan or other documents entered into pursuant to this Amended Plan may also be enforced by litigation or similar proceedings by either the CoRDA or the County. Such remedies may include, but are not limited to, specific performance, damages, re-entry onto property, power of termination, or injunctions. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.

SECTION X. (1000) PLAN LIMITATIONS

A. (1001) Limitation on Incurring Debt

Except as otherwise provided herein or permitted by law, the time limits on the establishing of loans, advances, and indebtedness to be paid with the proceeds of property taxes received pursuant to the Redevelopment Law to finance in whole or in part the redevelopment project are as follows:

- 1. Original Area - until December 19, 2015**
- 2. Added Area - twenty (20) years from the effective date of the adoption ordinance.**

This limit, however, shall not prevent the CoRDA from incurring debt to be paid from the Low and Moderate Income Housing Fund or establishing more debt in order to fulfill the CoRDA's housing obligations under the provisions of the Redevelopment Law. The loans, advances, or indebtedness may be repaid over a period of time longer than this time limit as provided herein. No loans, advances or indebtedness to be repaid from the allocation of taxes shall be established or incurred by the CoRDA beyond this time limitation. This limit shall not prevent the CoRDA from refinancing, refunding, or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time

limit to repay indebtedness required by this section and to the extent, and upon the terms permitted by applicable State law.

The time limits established by Redevelopment Law may be extended in the manner provided and permitted by Redevelopment Law.

B. (1002) Effectiveness of the Plan

Except for the non-discrimination and non-segregation provisions which shall run in perpetuity, and except as otherwise provided herein, the provisions of this Amended Plan shall be effective as provided for in County Ordinance No. 3915, adopted on April 20, 2004 applicable to the Original Area or as otherwise permitted by law. For the Added Area, the provisions of this Amended Plan shall be effective shall be thirty (30) years from the effective date of the adoption ordinance or as otherwise permitted by law.

1. **Original Area - December 19, 2027**
2. **Added Area - thirty (30) years from the effective date of the adoption ordinance.**

After the time limit on the effectiveness of the Amended Plan has expired, the CoRDA shall have no authority to act pursuant to the Amended Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts. However, if the CoRDA has not completed its housing obligations pursuant to the Redevelopment Law, the CoRDA shall retain its authority to implement requirements, including the ability to incur and pay indebtedness for this purpose, and shall use this authority to complete these housing obligations as soon as is reasonably possible.

C. (1003) Limitation on Receipt of Tax Increment and Payment of Indebtedness

Except as otherwise provided herein, or permitted by law, the limitation on the receipt of tax increment and the payment of indebtedness with the proceeds of property taxes received pursuant to Section 33670 of the Redevelopment Law shall be in accordance with County Ordinance No. 3915, adopted on April 20, 2004 applicable to the Original Area. Except as otherwise provided herein, or permitted by law, the limitation on the receipt of tax increment and the payment of indebtedness with the proceeds of property taxes received pursuant to Section 33670 of the Redevelopment Law for the Added Area, it shall be forty-five (45) years from the effective date of the adoption ordinance.

1. **Original Area - December 19, 2041**
2. **Added Area - forty-five (45) years from the effective date of the adoption ordinance.**

After the time limitation has been reached for each of the respective areas, the CoRDA may not receive property taxes, except as necessary to comply with the Redevelopment Law.

D. (1004) Limitation on the Amount of Bonded Indebtedness

This Amended Plan authorizes the issuance of bonds to be repaid in whole or in part from the allocation of taxes pursuant to Redevelopment Law. Except by amendment of the Amended Plan, the amount of bonded indebtedness which can be outstanding at one time and payable in whole or in part from tax allocations attributable to the entire Project Area shall not exceed **One Hundred Sixty-Five Million Dollars (\$165,000,000)**.

If other sources of payment are lawfully combined with tax allocations, there shall be no limit as to the amount of bonded indebtedness serviceable from such other source of funds.

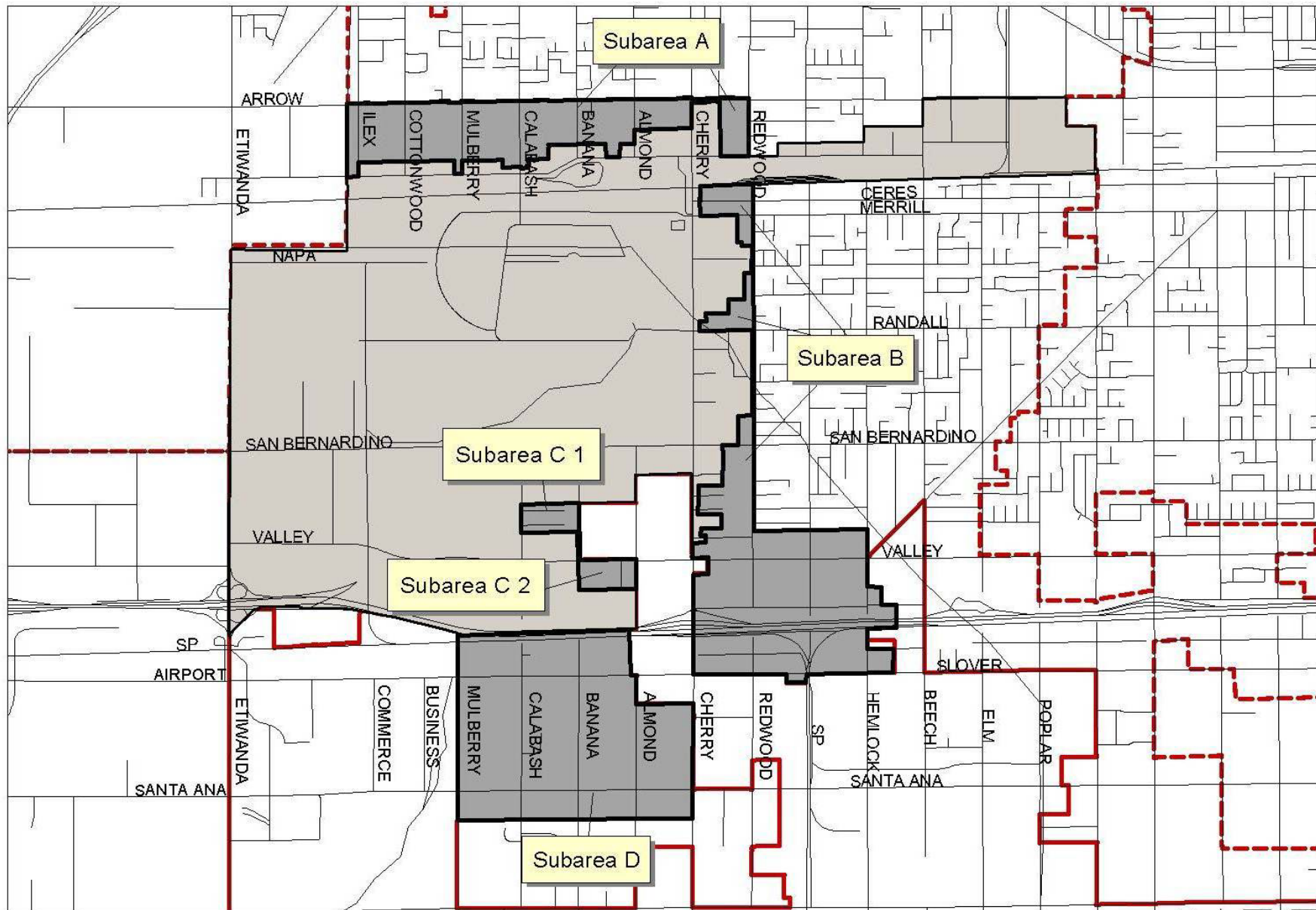
SECTION XI. (1100) PROCEDURE FOR AMENDMENT

This Amended Plan may be amended by means of the procedure established in the Redevelopment Law or by any other procedure hereafter established by State law.

This Amended an is to be liberally construed and not interpreted as a limitation on the powers of the CoRDA. Notwithstanding any provision in this Amended Plan to the contrary, the CoRDA may hereby utilize all powers of a redevelopment agency pursuant to the Redevelopment Law and all other applicable laws, as the same now exists or may hereafter be amended or adopted.

EXHIBIT A-1

**PROJECT AREA MAP
ORIGINAL AREA AND ADDED AREA**



San Sevine Redevelopment Project Project Area Map

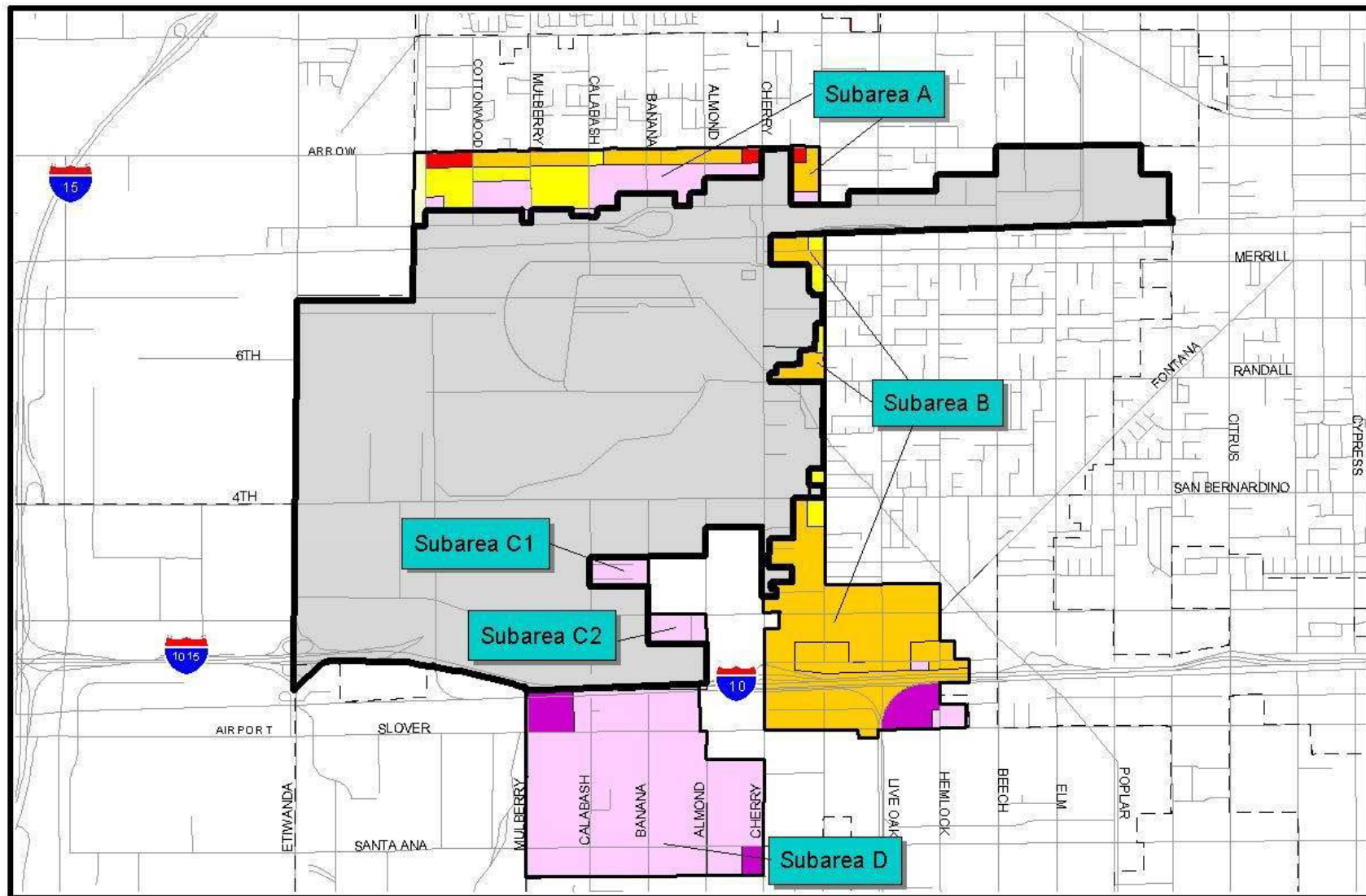
Legend

- City Limits
- Added Area
- Original Area



EXHIBIT A-2

**ADDED AREA MAP
GENERAL PLAN LAND USE DESIGNATIONS**



Legend

- City Boundary
- Existing Project Area

Added Area Land Use Designations

- | | |
|----|----|
| CN | RL |
| CS | RS |
| IR | RM |
| IC | |

San Sevine Redevelopment Project

General Plan Land Use Designations

ADDED AREA



EXHIBIT B-1

LEGAL DESCRIPTION FOR ORIGINAL AREA

SAN SEVAINE REDEVELOPMENT PROJECT

Original Area Legal Description

Dated June 6, 1995

Page 1

That portion of Township 1 South, Range 6 West, San Bernardino Meridian, in the unincorporated area of the County of San Bernardino, State of California, described as follows:

Beginning at the intersection of the center line of Etiwanda Avenue with the South right of way line of Interstate 10, said intersection being also on the city limits line of Ontario, as said line existed June 6, 1995;

1. Thence North along said center line of Etiwanda Avenue and said city limits line of Ontario to the center line of Fourth Street, said point being also coincident with the city limits line of Rancho Cucamonga, as it existed June 6, 1995;
2. Thence leaving said city limits line of Ontario North along said center line of Etiwanda Avenue and said city limits line of Rancho Cucamonga to the South line of the Metropolitan Aqueduct in the North half of Section 16, said Township 1 South, Range 6 West;
3. Thence East along said South line and said city limits line of Rancho Cucamonga to the North and South center line of said Section 16;
4. Thence North along the North and South center line of Sections 16 and 9 and said city limits line of Rancho Cucamonga to the center line of Whittram Avenue;
5. Thence leaving said city limits of Rancho Cucamonga East along said center line to the center line of Ilex Avenue;
6. Thence North 330.00 feet along said center line to the North line of Lot 360, Tract No. 2102, as per map recorded in Book 31 of Maps, pages 11 to 15, inclusive, records of said County;
7. Thence East 2219.73 feet along lot lines to the East line of the West 132.00 feet of Lot 319, said Tract No. 2102;
8. Thence South along said East line to the center line of Whittram Avenue;
9. Thence East along said center line to the center line of Mulberry Avenue;
10. Thence North 330.00 feet along said center line to the North line of Lot 284, said Tract No. 2102;
11. Thence East 924.00 feet along lot lines to the East line of the West 264.00 feet of Lot 283, said Tract No. 2102;
12. Thence South along said East line to the South line of the North 165.00 feet of said Lot 283;
13. Thence East 396.00 feet along said South line to the center line of Calabash Avenue;
14. Thence South along said center line 25.00 feet to the North line of the South 140.00 feet of Lot 248 of said Tract No. 2102;
15. Thence East along said North line to the East line of the West 185.00 feet of said Lot 248;
16. Thence North along said East line to the North line of the South 200.00 feet of said Lot 248;
17. Thence East along said North line to the East line of the West 205.00 feet of said Lot 248;
18. Thence North 130.00 feet along said East line to the North line of said Lot 248;
19. Thence East 455.00 feet along said North line to the West line of Lot 246, said Tract No. 2106;

SAN SEVAINE REDEVELOPMENT PROJECT

Original Area Legal Description

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20. Thence North 330.00 feet along said West line to the North line of said Lot 246;
21. Thence East 1320.00 feet along Lot lines to the West line of Lot 211, said Tract No. 2102;
22. Thence South 330.00 feet along said West line to the center line of Whittram Avenue;
23. Thence East 330.00 feet along said center line to the West line of Lot 212, said Tract No. 2102;
24. Thence North 330.00 feet along said West line to the North line of said Lot 212;
25. Thence East 330.00 feet along said North line to the center line of Almond
26. Avenue;
27. Thence North 330.00 feet along said center line to the North line of Lot 172, said Tract No. 2102;
28. Thence East 1320.00 feet along lot lines to the center line of Chewy Avenue;
29. Thence North 660.00 feet along said center line to the center line of Arrow
30. Route;
31. Thence East 660.00 feet along said center line to the East line of Lot 131, said Tract No. 2102;
32. Thence South 132d.00 feet along Lot lines and to the center line of Whittram Avenue;
33. Thence East 1320.00 feet along said center line to the West line of Lot 103, said Tract No. 2102;
34. Thence North 330.00 feet along said West line to the Northwest corner of said Lot 103;
35. Thence East 1980.00 feet along Lot lines to the center line of Hemlock Avenue;
36. Thence North 330.00 feet along said center line to the Westerly prolongation of the North line of Lot 6, C. W. Roger Subdivision, as per map recorded in Book 11 of Maps, page 32, records of said County;
37. Thence East 1366.36 feet along said prolongation and North line and its prolongation to the center line of Beech Avenue;
38. Thence North along said center line of Beech Avenue to the center line of Arrow Route;
39. Thence East along said center line of Arrow Route to the East line of Almeria Avenue, now vacated, said point being also coincident with the city limits line of Fontana, as said city limits line existed June 6, 1995;
40. Thence South along said East line of Almeria Avenue and said city limits line of Fontana to the South line of Lot 206, Etiwanda Vineyards Tract, as per map recorded in Book 17 of Maps, page 29, records of said County;
41. Thence East along said South line of Lot 206 and said city limits line of Fontana, a distance of 625.04 feet to the Southeast corner of said Lot 206;
42. Thence South along lot lines and their prolongation and along said city limits line of Fontana to the South line of Arrowhead Avenue, now vacated;
43. Thence East along said South line, being also along the North line of the Atchison, Topeka and Santa Fe Railroad right of way and said city limits line of Fontana to the Northerly prolongation of the center line of Catawba Avenue;
44. Thence South along said prolongation and said city limits line of Fontana to the South line of the Atchison, Topeka and Santa Fe Railroad right of way;

SAN SEVAINE REDEVELOPMENT PROJECT

Original Area Legal Description

Dated June 6, 1995

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45. Thence leaving said city limits line of Fontana West along said South line to the West line of the East 8.23 acres of the North 9.67 acres of Lot 446, said Tract-No. 2102, said
46. point being on a line that is 203.00 feet East, more or less, from the center line of Cherry Avenue;
47. Thence South along said West line to the center line of Ceres Avenue;
48. Thence West along said center line to an angle point in said center line of Ceres
49. Avenue;
50. Thence South along said center line of Ceres Avenue to the center line of Merrill Avenue;
51. Thence East along said center line to the West line of the East 5 acres of Lot 876, Semi-Tropic Land and Water Company Subdivision, as per map recorded in Book 11 of Maps, page 12, records of said County, said West line being 325.92 feet West, more or less, from the center line of Redwood Avenue;
52. Thence South 660.00 feet along said West line to the North line of Parcel Map No. 13017, as per map recorded in Book 167 of Parcel Maps, pages 63 and 64, records of said County;
53. Thence East along said North line to an angle point in the North line of Parcel 7, said Parcel Map 13017, said point being 235.00 feet West of the center line of Redwood Avenue;
54. Thence South 80.00 feet along the Easterly line of said Parcel 7 to an angle point therein;
55. Thence East 235.00 feet along the Northerly line of said Parcel 7 to the center line of Redwood Avenue;
56. Thence South 580.04 feet along said center line to the Northeast corner of Lot 884, said Semi-Tropic Land and Water Company Subdivision;
57. Thence West 170.00 feet along the North line of said Lot 884 to the West line of the East 170.00 feet of said Lot 884;
58. Thence South 660.00 feet along said West line to the, South line of said Lot 884;
59. Thence West along said South line to the East line of the West 128.78 feet of the East 655.14 feet of Lot 885, said Semi-Tropic Land and Water Company Subdivision;
60. Thence South 325.00 feet along said East line to the North line of the South 335.00 feet of said Lot 885;
61. Thence West along said North line 128.78 feet to the East line of the West half of said Lot 885;
62. Thence South 5.00 feet, more or less, to the North line of the South half of the West 10.8 acres;
63. Thence West 390.64 feet;
64. Thence South 181.00 feet;
65. Thence West 150.00 feet;
66. Thence South 150.00 feet to the center line of Randall Avenue;
67. Thence East along said center line to the center line of Redwood Avenue;
68. Thence South 1980 feet along said center line to the North line of Lot 901, said Semi-Tropic Land and Water Company Subdivision;

SAN SEVAINE REDEVELOPMENT PROJECT

Original Area Legal Description

Dated June 6, 1995

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69. Thence West along said North line to the West line of the East 5 acres of said Lot 901, being 330.00 feet West of the center line of Redwood Avenue;
70. Thence South along said West line to the South line of the North 396.00 feet of said Lot 901; Thence East along said South line 330.00 feet to the center line of Redwood Avenue;
71. Thence South along said center line 264.00 feet to the center line of San Bernardino Avenue;
72. Thence West along said center line to the West line of the East 10 acres of Lot 908, said Semi-Tropic Land and Water Company Subdivision, said point being 660.00 feet from the center line of Redwood Avenue;
73. Thence South along the West line of the East 10 acres of Lot 908 and 909 a distance of 990.21 feet to the Northeast corner of Tract No. 3264, as per map recorded in Book 43 of Maps, page 76, records of said County;
74. Thence West 543.80 feet along the North line of said Tract No. 3264 to the Northeast corner of Lot 1;
75. Thence South 330.07 Feet to the Southeast corner of Lot 4, said Tract No. 3264;
76. Thence West 10.00 feet along the South line of said Tract No. 3264 to the Northeast corner of Lot 1, Tract No. 3363, as per map recorded in Book 45 of Maps, page 22, records of said County;
77. Thence South 330.14 feet to the Southeast corner of Lot 4, said Tract No. 3363;
78. Thence East 531.52 feet along the South line of said Tract No. 3363 to the
79. Southeast corner thereof, said point being also on the East line of the West half of Lot 916, said Semi-Tropic Land and Water Company Subdivision;
80. Thence South 330.14 feet along said East line to the South line of said Lot 916;
81. Thence West along said South line to the Northeast corner of Lot 5, Tract No. 2879, as per map recorded in Book 39 of Maps, page 64, records of said County, said corner being East 210.00 feet from the center line of Cherry Avenue;
82. Thence South 160.00 feet along the East line of said Lot 5 and its prolongation to the center line of Hunter Street;
83. Thence East 116.76 feet along said center line to the East line of said Tract No. 2879;
84. Thence South 160.00 feet along said East line to the Southeast corner of said Tract No. 2879;
85. Thence West 326.76 feet along the South line of said Tract No. 2879 and its prolongation to the center line of Cherry Avenue, said point being also on the city limits line of Fontana, as said line existed June 6, 1995;
86. Thence North along said center line and said city limits line of Fontana to the South line of Lot 1005, said Semi-Tropic Land and Water Company Subdivision;
87. Thence West along the South line of said Lot 1005 and said city limits line of Fontana to the center line of Almond Avenue;
88. Thence South along said center line of Almond Avenue and said city limits line of FONTANA, 660 feet to the Southeast corner of Lot 1011, said Semi-Tropic Land and Water Company Subdivision;
89. Thence West along the South line of said Lot 1011 and said city Limits line of Fontana to the center line of Banana Avenue, said point being also the Southeast corner of Lot 1010, said Semi-Tropic Land and Water Company Subdivision;

SAN SEVAINE REDEVELOPMENT PROJECT

Original Area Legal Description

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90. Thence leaving said city limits line of Fontana West along the South line of said Lot 1010 to the center line of Calabash Avenue;
91. Thence South along said center line of Calabash Avenue, 660 feet to the Northwest corner of Lot 1018, said Semi-Tropic Land and Water Company Subdivision;
92. Thence East along the North line of said Lot 1018 to the center line of Banana Avenue, said point being also in the city limits line of Fontana, as said city limits line existed June 6, 1995;
93. Thence South along said center line of Banana Avenue and said city limits line of Fontana to the center line of Valley Boulevard;
94. Thence leaving said city limits line of Fontana South along said center line of Banana Avenue, 660 feet to the Northwest corner of Lot 1027, said Semi-Tropic Land and Water Company Subdivision;
95. Thence East along the North line of said Lot 1027 to the center line of Almond Avenue, said point being also in the city limits line of Fontana, as said city limits line existed June 6, 1995;
96. Thence South along said center line of Almond Avenue and said city limits line of Fontana to the South right of way line of Interstate 10;
97. Thence leaving said city limits line of Fontana West along said south right of way line of Interstate 10 to the center line of Etiwanda Avenue, being the Point of Beginning.

NOTE: Areas and distances are computed to the center lines of adjoining streets for Tract No. 2102 and the Semi-Tropic Land and Water Company Subdivision.

Said project contains 2835 acres, more or less.

KEN A. MILLER
COUNTY SURVEYOR
COUNTY OF SAN BERNARDINO

By: [Original Signed and Recorded withL.S. REGISTRATION
State Board of Equalization] _DeputySEAL
L.S. No. 5752
Date 6/6/1995

..... COUNTY SURVEYOR'S OFFICE
..... June 6, 1995

EXHIBIT B-2

LEGAL DESCRIPTION FOR ADDED AREA

**SAN SEVAINE REDEVELOPMENT PROJECT
ADDED AREA**

Those portions of Township 1 South, Range 6 West, San Bernardino Meridian, in the unincorporated area of the County of San Bernardino, State of California, described as follows:

AREA A

BEGINNING at the intersection of the North-South center of section line of Section 9, said center of section line also being the city limit line of Rancho Cucamonga as it existed June 6, 1995, with the centerline of Whittram Avenue;

1. Thence leaving said city limits of Rancho Cucamonga East along said centerline to the centerline of Ilex Avenue;
2. Thence North 330 feet along said centerline to the North line of Lot 360, Tract No. 2102, as per map recorded in Book 31 of Maps, pages 11-15, inclusive records of said County;
3. Thence East 2219.73 feet along lot lines to the East line of the West 132.00 feet of Lot 319, said Tract No. 2102;
4. Thence South along said East line to the centerline of Whittram Avenue;
5. Thence East along said centerline to the centerline of Mulberry Avenue;
6. Thence North 330 feet along said centerline to the North line of Lot 284, said tract No. 2102;
7. Thence East 924.00 feet along lot lines to the East line of the West 264.00 feet of Lot 283, said Tract No. 2102;
8. Thence South along said East line to the South line of the North 165.00 feet of said Lot 283;
9. Thence East 396.00 feet along said South line to the centerline of Calabash Avenue;
10. Thence South along said centerline 25.00 feet to the North line of the South 140.00 feet of Lot 248 of said Tract No. 2102;
11. Thence East along said North line to the East line of the West 185.00 feet of said Lot 248;
12. Thence North along said East line to the North line of the South 200.00 feet of said Lot 248;
13. Thence East along said North line to the East line of the West 205.00 feet of said Lot 248;
14. Thence North 130.00 feet along said East line to the North line of said lot 248;
15. Thence East 455.00 feet along said North line to the West line of Lot 246, said Tract No. 2102;
16. Thence North 330.00 feet along said West line of the North line of said Lot 246;
17. Thence East 1320.00 feet along Lot lines to the West line of Lot 211, said Tract No. 2102;
18. Thence South 330.00 feet along said West line to the centerline of Whittram Avenue;
19. Thence East 330.00 feet along said centerline to the West line of Lot 212, said Tract No. 2102;
20. Thence North 330.00 feet along said West line to the North line of said Lot 212;
21. Thence East 330.00 feet along said North line to the centerline of Almond Avenue;

SAN SEVAINE REDEVELOPMENT PROJECT

ADDED AREA

April 5, 2004

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22. Thence North 330.00 feet along said centerline to the North line of Lot 172, said Tract No. 2102;
23. Thence East 1320.00 feet along lot lines to the centerline of Cherry Avenue;
24. Thence North along said centerline to the southerly right of way line of Arrow Route;
25. Thence East along said right of way line to the East line of Lot 131, said Tract No. 2102;
26. Thence South 1320.00 feet along Lot lines to the centerline of Whittram Avenue;
27. Thence East 660 feet along said centerline to the centerline of Redwood Avenue;
28. Thence North along said centerline to the north right of way of Arrow Highway;
29. Thence West along said right of way to said North-South center of section line of Section 9; said center of section line also being the city limit line of Rancho Cucamonga as it existed June 6, 1995;
30. Thence South along said center of section line to the POINT OF BEGINNING.

CONTAINING 240 acres, more or less.

AREA B

BEGINNING at the intersection of the southerly right of way of Atchison, Topeka, and Santa Fe Railroad with the west line of the East 8.23 acres of the north 9.67 acres of Lot 466 of Tract No. 2102 as shown on a map thereof filed in Book 31 of Maps, Pages 11 through 15, in the Office of the County Recorder in said San Bernardino County;

1. Thence South along said West line to the centerline of Ceres Avenue;
2. Thence West along said centerline to an angle point in said centerline of Ceres Avenue;
3. Thence South along said centerline of Ceres Avenue to the centerline of Merrill Avenue;
4. Thence East along said centerline to the West line of the East 5 acres of Lot 876, Semi-Tropic Land and Water Company Subdivision, as per map recorded in Book 11 of Maps, page 12, records of said County, said West line being 325.92 feet West, more or less, from the centerline of Redwood Avenue.
5. Thence South 660.00 feet along said West line to the North line of Parcel Map No. 13017, as per map recorded in Book 167 of Parcel Maps, pages 63 and 64, records of said County;
6. Thence East along said North line to an angle point in the North line of parcel 7, said Parcel Map 13017, said point being 235.00 feet West of the centerline of Redwood Avenue;
7. Thence South 80.00 feet along the Easterly line of said parcel 7 to an angle point therein;
8. Thence East along the Northerly line of said parcel 7 to the centerline of Redwood Avenue;
9. Thence South along said centerline to the Northeast corner of Lot 884, said Semi-Tropic Land and Water Company Subdivision;
10. Thence West along the North line of said Lot 884 to the West line of the East 170.00 feet of said Lot 884;

SAN SEVAINE REDEVELOPMENT PROJECT

ADDED AREA

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11. Thence South 660.00 feet along said West line to the South line of said Lot 884;
12. Thence West along said South line to the East line of the West 128.78 feet of the East 655.14 feet of Lot 885, said Semi-Tropic Land Water Company Subdivision;
13. Thence South 325.00 feet along said East line to the North line of the South 335.00 feet of said Lot 885.
14. Thence West along said North line 128.78 feet to the East line of the West half of said Lot 885;
15. Thence South 5.00 feet, more or less, to the North line of the South half of the West 10.8 acres;
16. Thence West 390.64 feet;
17. Thence South 181.00 feet;
18. Thence West 150.00 feet;
19. Thence South 150 feet to the centerline of Randall Avenue;
20. Thence East along said centerline to the centerline of Redwood Avenue;
21. Thence South along said centerline to the North line of Lot 901, said Semi-Tropic Land and Water Company Subdivision;
22. Thence West along said North line of the West line of the East 5 acres of said Lot 901, being 330.00 feet West of the centerline of Redwood Avenue;
23. Thence South along said West line to the South line of the North 396.00 feet of said Lot 901;
24. Thence East along said South line to the centerline of Redwood Avenue;
25. Thence South along said centerline to the centerline of San Bernardino Avenue;
26. Thence West along said centerline to the West line of the east 10 acres of Lot 908, said Semi-Tropic Land and Water Company Subdivision, said point being 660.00 feet from the centerline of Redwood Avenue;
27. Thence South along the East line of the East 10 acres of Lot 908 and 909 a distance of 990.21 feet to the Northeast corner of Tract No 3264, as per map recorded in Book 43 of maps, page 76, records of said County;
28. Thence West 543.80 feet along the North line of said Tract No. 3264, to the Northeast corner of Lot 1;
29. Thence South 330.07 feet to the Southeast corner of Lot 4, said Tract No 3264;
30. Thence West 10.00 feet along the South line of said Tract No. 3264 to the Northeast corner of Lot 1, Tract No. 3363, as per map recorded in Book 45 of Maps, page 22, records of said County;
31. Thence South 330.14 feet to the Southeast corner of Lot 4, said Tract No 3363;
32. Thence East 531.52 feet along the South line of said Tract No. 3363 to the Southeast corner thereof, said point being also on the East line of the West half of Lot 916, said Semi-Tropic Land and Water Company Subdivision;
33. Thence South 330.14 feet along said East line to the South line of said Lot 916;
34. Thence West along said South line to the Northeast corner of Lot 5, Tract No. 2879, as per map recorded in Book 39 of Maps, page 64, records of said County, said corner being East 210.00 feet from the centerline of Cherry Avenue;
35. Thence South 160.00 feet along the East line of said Lot 5 and its prolongation to the centerline of Hunter street;

SAN SEVAINE REDEVELOPMENT PROJECT

ADDED AREA

April 5, 2004

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36. Thence East 116.76 feet along said centerline to the East line of said Tract No. 2879;
37. Thence South 160.00 feet along said East line to the Southeast corner of said Tract No. 2879;
38. Thence West 326.76 feet along the South line of said Tract No. 2879 and its prolongation to the centerline of Cherry Avenue, said point being also on the city limits line of Fontana, as said line existed June 6, 1995;
39. Thence South along said centerline to the centerline of Valley Boulevard;
40. Thence East along said centerline to the northerly prolongation of the east line of Parcel 54, Parcel Map 10074, per map recorded in Book 136 of Parcel Maps, page 92, records of said County;
41. Thence South along said East line 360 feet to the southeast corner of said Parcel 54;
42. Thence West along the south line of said Parcel 54 354 feet to said centerline of Cherry Avenue;
43. Thence South along said centerline to the centerline of Slover Avenue;
44. Thence East along said centerline to the West line of the East 567 feet of Lot 943, said Semi-Tropic Land and Water Company Subdivision;
45. Thence South along said West line to the South line of the North 200 feet of the East 567 feet of said Lot 943;
46. Thence East along said South line 215 feet to the West line of the East 352 feet of said Lot 943;
47. Thence North along said West line 5 feet to the South line of the North 195 feet of the East 352 feet of said Lot 943;
48. Thence East along said South line 240 feet to the centerline of Live Oak Avenue;
49. Thence North along said centerline to the centerline of Slover Avenue;
50. Thence East along said centerline to the southerly prolongation of the East line of Lot 25, Tract No. 2721, Slover Avenue Subdivision No. 2, as per map recorded in Book 38 of Maps, page 16, records of said County;
51. Thence North along said East line 554.00 feet to the centerline of Boyle Avenue;
52. Thence West along said centerline 590.72 feet to the centerline of Hemlock Avenue;
53. Thence North along said centerline to the southerly right of way of Southern Pacific Railroad;
54. Thence easterly along said right of way to the northeast corner of Lot 6, said Tract No. 2721;
55. Thence North to the centerline of Washington Drive;
56. Thence West along said centerline to the southerly prolongation of the East line of Lot 10, Tract No. 2223, Valley Boulevard Subdivision No. 1, as per map recorded in Book 32 of Maps, page 1, records of said County;
57. Thence North along said East line to the South line of Lot 5, said Tract No. 2223;
58. Thence West along said South line to the centerline of Hemlock Avenue;
59. Thence North along said centerline to the north line of Lot 919; said Semi-Tropic Land and Water Company Subdivision;
60. Thence West along the North line of said Lot 919 and Lot 918, said Semi-Tropic Land and Water Company Subdivision, to the east right of way of Redwood Avenue;

61. Thence North along said right of way line of Redwood Avenue to the southerly right of way of Atchison, Topeka, and Santa Fe Railroad;
62. Thence westerly along said southerly right of way to the POINT OF BEGINNING.

CONTAINING 406 acres, more or less.

AREA C1

BEGINNING at the intersection of the centerline of Banana Avenue with the South line of Lot 1010, said Semi-Tropic Land and Water Company Subdivision;

1. Thence West along the South line of said Lot 1010 to the centerline of Calabash Avenue;
2. Thence South along said centerline 660 feet to the North line of Lot 1018, said Semi-Tropic Land and Water Company Subdivision;
3. Thence East along said North line to the centerline of Banana Avenue;
4. Thence North along said centerline to the POINT OF BEGINNING.

CONTAINING 20 acres, more or less.

AREA C2

BEGINNING at the intersection of the centerline of Banana Avenue with the centerline of Valley Boulevard;

5. Thence South along said centerline of Banana Avenue to the North line of Lot 1026, said Semi-Tropic Land and Water Company Subdivision;
6. Thence East along said North line of Lot 1026 and the North line of Lot 1027, said Semi-Tropic Land and Water Company Subdivision, to the centerline of Almond Avenue;
7. Thence North along said centerline 660 feet to the centerline of Valley Boulevard;
8. Thence West along said centerline to the POINT OF BEGINNING.

CONTAINING 20 acres, more or less.

AREA D

BEGINNING at the intersection of the West line of Lot 1032, said Semi-Tropic Land and Water Company Subdivision, with the southerly right of way of Interstate 10;

9. Thence South along said West line of Lot 1032 and West line of 1033, said Semi-Tropic Land and Water Company Subdivision, to the centerline of Slover Avenue, said point also being the centerline intersection of Mulberry Avenue and Slover Avenue;
10. Thence continuing South along said centerline of Mulberry Avenue 3300 feet to the South line of Lot 1056, said Semi-Tropic Land and Water Company Subdivision;
11. Thence East along said South line of Lot 1056 and South lines of Lots 1055, 1054, and 1053, said Semi-Tropic Land and Water Company Subdivision, to the centerline of Cherry Avenue;

12. Thence North along said centerline to the South line of Lot 1037, said Semi-Tropic Land and Water Company Subdivision;
13. Thence West along said South line 1320 feet to the centerline of Almond Avenue;
14. Thence North along said centerline to the centerline of Slover Avenue;
15. Thence West along said centerline to the West line of the East 170 feet of Lot 1035, said Semi-Tropic Land and Water Company Subdivision;
16. Thence North along said West line to the southerly right of way of Interstate 10;
17. Thence westerly along said southerly right of way to the POINT OF BEGINNING.

CONTAINING 470 acres, more or less.

SUBJECT TO all Covenants, Rights, Rights-of-Way and Easements of record.

EXHIBIT A attached and by this reference made a part hereof.

[Original signed and on file with State Board of Equalization].....SEAL

Daniel W. Bustamante, P.L.S. 7030
Expires: September 30, 2006

EXHIBIT C

ORIGINAL AND ADDED AREA INITIALLY PROPOSED PROJECTS, PUBLIC FACILITIES, AND INFRASTRUCTURE IMPROVEMENT PROJECTS

LIST FROM 1995 SAN SEVAIN REDEVELOPMENT PLAN

EXHIBIT "C"

San Sevaire Redevelopment Project

PROPOSED PUBLIC IMPROVEMENTS AND FACILITIES PROJECTS

I. TRAFFIC AND CIRCULATION IMPROVEMENTS

Add Turn Lanes at:

- Valley Boulevard (I-10) to Banana Avenue
- San Bernardino Avenue (Cherry Avenue to Calabash Avenue)
- Cherry Avenue (San Bernardino Avenue)
- Cherry Avenue (Arrow Route)
- Cherry Avenue (Foothill Avenue)

Traffic Signal Installation at:

- Arrow Route at Beech Avenue
- Etiwanda Avenue at Inland Empire Boulevard
- Cherry Avenue at Merrill Avenue
- Cherry Avenue at Randall Avenue
- Cherry Avenue at I-10 WB Ramp
- Cherry Avenue at I-10 EB Ramp
- Cherry Avenue at Whittram Avenue
- I-15 at Baseline Avenue
- I-15 NB at Fourth Street
- I-15 SB at Fourth Street

Street Construction, Rehabilitation and Widening

- Cherry Avenue (I-10 to Whittram Avenue)
- Whittram Avenue (Live Oak Avenue to Etiwanda Avenue)
- Etiwanda Avenue (I-10 to Whittram Avenue)
- Beech Avenue (Whittram Avenue to Arrow Route)
- Calabash Avenue (Foothill Boulevard to Kaiser Steel Plant)

Intersection Improvements and Realignment

- Etiwanda Avenue at Inland Empire Boulevard
- Cherry Avenue at I-10 Bridge & SP Co. Railroad
- Cherry Avenue at Slover Avenue
- Cherry Avenue at Valley Boulevard
- Cherry Avenue at Baseline Avenue
- Citrus Avenue at Baseline Avenue
- Citrus Avenue at I-10 WB
- Etiwanda Avenue at Arrow Route
- Etiwanda Avenue at Foothill Boulevard
- Etiwanda Avenue at Slover Avenue
- I-15 NB at Foothill Boulevard

Intersection Improvements of Arrow Route

- Beech Avenue
- Lime Avenue

Park and Ride Facility

II. FLOOD CONTROL IMPROVEMENTS

Regional Facilities

- Etiwanda Avenue/San Sevaine Channel (I-10 to West Fontana Channel)
- West Fontana Channel (Catawba Avenue to San Sevaine Channel)
- I-10 Channel (Almond Avenue to San Sevaine Channel)
- Hickory Basin Improvement

Master Storm Drain Plan Facilities

- Line SS – 2
- Line SS – 2B
- Line SS – 2C
- Line SS – 2D
- Line M – 7
- Line M – 7A
- Line M – 7B
- Line T – 2
- Line T – 6
- Line T – 7

Master Storm Drain Plan Facilities at Arrow Route

- Line T – 2 (Partial)
- Line T – 6 (Partial)
- Line T – 7 (Partial)

III. WATER SYSTEM IMPROVEMENTS

- Valley Boulevard (Cherry Avenue to Etiwanda Avenue)

IV. SEWER SYSTEM IMPROVEMENTS

- Mulberry Avenue (Fontana Relief Sewer to I-10)
- Mulberry Avenue (I-10 to San Bernardino Avenue)
- San Bernardino Avenue (Mulberry Avenue to Cherry Avenue)
- San Bernardino Avenue (Mulberry Avenue to Kaiser Railroad Spur)
- Whittram Avenue (Kaiser Railroad Spur to Mulberry Avenue)
- Whittram Avenue (Mulberry Avenue to Calabash Avenue)
- Cherry Avenue (San Bernardino Avenue to Whittram Avenue)
- Cherry Avenue (Whittram Avenue to Arrow Route)
- Valley Boulevard (Banana Avenue to Mulberry Avenue)
- Whittram Avenue (Calabash Avenue Line)

V. CURBS, GUTTERS AND SIDEWALKS

VI. STREET LIGHTS

VII. OTHER PROJECTS

- County Fire Station and County Safety Office
- Power Generation Facility

Note: This listing of proposed improvements and facilities is set forth for planning purposes, and shall not be deemed as a limitation on the Agency's authority to implement the Redevelopment Plan.

(This list is a reproduction and an update of the list of proposed public improvements and facilities projects from the Final Redevelopment Plan for the San Sevine Redevelopment Project adopted on December 19, 1995.)

SAN SEVAINE REDEVELOPMENT PROJECT ADDED AREA PROPOSED PROJECTS

Anticipated public projects and infrastructure may include, but are not limited to the following:

I. Traffic and Circulation Improvements

Street Widening Projects

- Almond Avenue- Widening and Rehabilitation
- Banana Avenue- Widening and Rehabilitation
- Calabash Avenue- Widening and Rehabilitation
- Cherry Avenue- Interchange/Bridge/Widening
- Cherry Avenue- Whittram/Foothill Improvements
- Cottonwood Avenue- Widening and Rehabilitation
- Live Oak Avenue- Widening and Overlay
- Mulberry Avenue- Widening and Rehabilitation
- Redwood Avenue- Widening and Rehabilitation
- Slover Avenue- Widening of RR Spur
- Santa Ana Avenue- Widening and Rehabilitation

Miscellaneous Road Projects

- Almond Avenue- Rehabilitate Roadway
- Altura Avenue- Overlay Roadway
- Cherry Avenue- Rehabilitate Roadway
- El Molino Avenue- Rehabilitate Roadway
- Etiwanda Avenue- Rehabilitate Roadway
- Hemlock Avenue- Overlay Roadway
- Hickory Avenue- Overlay Roadway
- Ilex Street- Rehabilitate Roadway
- Live Oak Street- Rehabilitate Roadway
- Rosemary Drive- Rehabilitate Roadway
- San Bernardino Avenue- Rehabilitate Roadway
- Slover Avenue- Overlay Roadway
- Sultana Avenue- Rehabilitate Roadway
- Valley Boulevard- Rehabilitate Roadway
- Washington Drive- Overlay Roadway
- Various Roads- Construct handicap ramp

Other Projects

- Major Storm Drainage Facilities/Local Storm Drainage Facilities
- Water and Sewer System Improvements
- Curbs, Gutters, Sidewalks, Street Lighting, and other related right-of-way improvements

Note: This listing of the proposed improvements and facilities is set forth for planning purposes, and shall not be deemed as a limitation of the CoRDA's authority to implement the Amended Plan.